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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,140	11/16/2001	Eser Kandogan	ARC920010111US1	4809

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EXAMINER	
EDWARDS JR, TIMOTHY	
ART UNIT	**PAPER NUMBER**
2635	

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/991,140	KANDOGAN ET AL.	
	Examiner	Art Unit	
	Timothy Edwards, Jr.	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-25,28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone '193 and further in view of Novel et al WO 94/15431 and Smith '098.

Considering claim 1, Stone discloses keyboards including color coding and one handed operation comprising, a) a plurality of characters displayed on the keys have associated markings such that any given character marking on that key is uniquely identified with a single displayed character (see fig 1, items 14a-14d); b) a plurality of keys having respective markings that visually match character markings (see fig 1, items 14a-14d and 16a-16d); c) selecting a first character, having a first marking, displayed on a first one of 8 keys and then selecting a key displaying the first marking (see col 2, lines 19-31); d) selecting a second character, having a second marking, displayed on a first one of 8 keys and then selecting a key displaying the second marking, keys displaying the

first and second marking are different (see col 3, lines 29-40); e) except Stone does not specifically recite numeral 0 through 9 are inclusive displayed on a respective one of the keys and at least 8 of the numeral-displayed keys further have language character displayed thereon. However, Stone addresses in col 1, line 43 to col 2, line 2 the need for a telecomputing one-handed, pocket sized device having a full typewriter keyboard which can be used to send and receive messages and enter alphanumeric characters. Also, Stone suggests in col 6, lines 34-38 the changing and rearranging of letters to suit a particular device. Novel teaches on page11 the use of a portable telecomputer device having a telephone as a data input means. Smith teaches in fig 2 the use of a telephone keypad to enter alphanumeric data by activating two keys sequentially. One of ordinary skill in the art readily recognizes the layout of a telephone keypad is numeral 0 through 9 are inclusive displayed on a respective one of the keys and at least 8 of the numeral-displayed keys further have language character displayed thereon (i.e. a 3x3 matrix). Therefore, it would have been obvious to use a 3x3 matrix keypad as a data input means in the suggested telecomputer communication system of Stone as taught by Novel because Stone states his data input method is suited for a pocket sized telecomputing system. Stone also, suggests the modification and rearranging of letter, of his device, to suit a particular device. The selection of two-keys to input a character is well known in the art as admitted by applicant in his specification on page 3, lines 9-19 and as taught by Smith. With respect to the selection of each key with a users finger or stylus one of ordinary skill in the art would readily recognize the use of the finger or stylus is a known method of inputting data on the keypad of a hand-held device.

Considering claim 2, Stone discloses the limitation of this claim in col 2, lines 19-40.

Considering claim 3, Stone discloses the limitation of this claim in fig 1.

Considering claim 4, Stone discloses the limitation of this claim in col 2, lines 26-31.

Considering claim 5, the limitation of this claim is interpreted and rejected as stated in part (e) of claim 1.

Considering claim 6, Stone discloses the limitation of this claim in fig 1.

Considering claims 7-11, the limitations of these claims are interpreted and rejected as stated in part (e) of claim 1.

Considering claims 12,18,19 Stone discloses the limitations of these claims in fig 1.

Considering claim 13, the limitation of this claim is interpreted and rejected as stated in claim 1, part (e).

Considering claim 14, Stone discloses the limitation of this claim in fig 1.

Considering claims 15-17,20-23 the limitations of these claims are interpreted and rejected as stated in part (e) of claim 1.

Considering claim 24, the limitation of this claim is interpreted and rejected as stated in claim 1. With respect to selecting a second key with letter free regions having a color that matches the first selected letter (see Stone fig 1, items 18b and 18c).

Considering claim 25, the limitation of this claim is interpreted and rejected as stated in claim 1 and in col 5, lines 48-60.

Considering claim 28-31, the limitations of these claims are interpreted and rejected as stated in claim 1, part (e).

Claims 26,27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone, Novel and Smith as applied to claims 23 and 25 above, and further in view of Prame '997.

Considering claim 26 and 27, Stone does not specifically recite computer program including code for generating a character corresponding to two keys pressed on a color-coded keyboard. However, Stone discloses in col 3, lines 10-12 "The keyboard may be electronically implemented by any appropriate means known to those skilled in the art." The use of means to convert key sequence into characters is well known in the art.

Prame teaches in col 2, lines 16-25 the use of a microcomputer means to convert key sequence into characters. This would suggest means to convert key sequence into characters of keys is within the scope of the Stone system because Stone discloses transmitting and receiving messages and both references are concern with the use of two keys to enter a character. Stone suggests the use of any appropriate means known in the art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yoshida '462 discloses a telephone keypad having different colors and patterns. Novel '332 discloses a telecomputer device having keyboard for entering data.

1. Any inquiry concerning this communication should be directed to Examiner Timothy Edwards at telephone number (571) 272-3067. The examiner can normally be reached on Tuesday-Friday, 8:00 a.m.-6:00 p.m. The examiner cannot be reached on Mondays.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (571) 272-3068.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-4700, Mon-Fri., 8:30 a.m.-5:00 p.m.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or fax to:

(703), 872-9314 (for formal communications intended for entry)

Or:

(for informal or draft communications, please label "PROPOSED"

or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, Sixth Floor, (Receptionist).

Timothy Edwards, Jr.
Primary Examiner
April 8, 2005